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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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CHAZ KODI PAYNE,

Plaintiff,

v.

LVMPD et al.,

Defendants.

Case No. 2:18-cv-01715-MMD-NJK

ORDER

**I. DISCUSSION**

Plaintiff, who is an inmate in the custody of the Clark County Detention Center (“CCDC”), has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 and has filed an application to proceed *in forma pauperis*. Docket Nos. 1, 1-1.

Plaintiff’s application to proceed *in forma pauperis* is incomplete. Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff has not submitted an inmate account statement. See Docket No. 1. As such, the *in forma pauperis* application is denied without prejudice. The Court will retain Plaintiff’s civil rights complaint, Docket No. 1-1, but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to cure the deficiencies of his application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file a new application to proceed *in forma pauperis* he must file a fully complete

1 application to proceed *in forma pauperis*.

2 **II. CONCLUSION**

3 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed  
4 *in forma pauperis*, Docket No. 1, is **DENIED** without prejudice to file a new application.

5 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the  
6 approved form application to proceed *in forma pauperis* by a prisoner, as well as the  
7 document entitled information and instructions for filing an *in forma pauperis* application.

8 IT IS FURTHER ORDERED that, no later than October 11, 2018, Plaintiff shall  
9 either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct  
10 form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2)  
11 pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50  
12 administrative fee).

13 IT IS FURTHER ORDERED that, if Plaintiff does not timely comply with this order,  
14 dismissal of this action may result.

15 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint,  
16 Docket No. 1-1, but shall not file it at this time.

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18 DATED THIS 11th day of September, 2018.

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22 NANCY J. KOPPE  
23 UNITED STATES MAGISTRATE JUDGE  
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